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Signed:

Paula Faulk Hurley

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Dubrul et al.	Attorney Docket No.: 10/765,564
Application No.: 10/7765,564	Examiner: Unassigned
Filed: 27 January 2004	Group: 3731
Title: Biological Passageway Occluder and Method	Confirmation No.: 8126
	Customer No. 22470

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56.

***Enclosed with this statement are the following:***

- ☒ Form PTO-1449. The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. §609.
- ☒ A copy of each cited document as required by 37 C.F.R. §1.98. However, since this application was filed after June 30, 2003, copies of U. S. Patents and U. S. Patent Application Publications are not enclosed. (See O. G. Notice of August 5, 2003.)

***This statement should be considered because:***

- ☒ 37 C.F.R. §1.97(b). This statement qualifies under 37 C.F.R. §1.97, subsection (b) because:

It is being filed before the mailing date of the first Office Action on the merits.

X **Fee Authorization.** The Commissioner is hereby authorized to charge underpayment of any additional fees or credit any overpayment associated with this communication to Deposit Account No. 50-0869 (GMI 1001-5).

Respectfully submitted,  
Haynes Beffel & Wolfeld LLP

Date: August 16, 2004

By: 

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JFH:pfh

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Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 3

### Complete if Known

Application Number	10/765,564
Filing Date	January 27, 2004
First Named Inventor	William Dubrul
Group Art Unit	3731
Examiner Name	Unassigned
Attorney Docket Number	GMI 1001-5

### U.S. PATENT DOCUMENTS

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	A1	3,996,938		Clark III	12-14-1979	
	A2	4,401,124		Guess et al.	08-30-1983	
	A3	4,582,061		Fry	04-15-1986	
	A4	4,650,466		Luther	03-17-1987	
	A5	4,799,495		Hawkins et al.	01-24-1989	
	A6	4,869,259		Elkins	09-26-1989	
	A7	4,895,560		Papantonakos	01-23-1990	
	A8	4,977,897		Hurwitz	12-18-1990	
	A9	5,048,530		Hurwitz	09-17-1991	
	A10	5,081,997		Bosley, Jr., et al	01-21-1992	
	A11	5,183,463		Debbas	02-02-1993	
	A12	5,192,290		Hilal	03-09-1993	
	A13	5,213,569		Davis	05-25-1993	
	A14	5,221,269		Miller et al.	06-22-1993	
	A15	5,329,942		Gunther et al.	07-19-1994	
	A16	5,380,273		Dubrul et al.	01-10-1995	
	A17	5,383,466		Partika	01-24-1995	
	A18	5,490,521		Davies et al.	02-13-1996	
	A19	5,498,236		Dubrul et al.	03-12-1996	
	A20	5,518,498		Lindenberg et al	05-21-1996	

### FOREIGN PATENT DOCUMENTS

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	B1	EP	0 983 749	A2	Rubicor Medical, Inc.	03-08-2000		
	B2	WO	99/44506	A1	Senorx, Inc.	09-10-1999		
	B3	WO	00/12009	A2	Senorx, Inc.	03-09-2000		
	B4	WO	00/12010	A1	Vivant Medical, Inc.	03-09-2000		
	B5							
	B6							
	B7							
	B8							
	B9							
	B10							

Examiner  
Signature

Date  
Considered

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<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>			<b>Complete if Known</b>	
	<b>Application Number</b>	10/765,564		
	<b>Filing Date</b>	January 27, 2004		
	<b>First Named Inventor</b>	William Dubrul		
	<b>Group Art Unit</b>	3731		
	<b>Examiner Name</b>	Unassigned		
<b>Sheet</b>		<b>of</b>	3	<b>Attorney Docket Number</b> GMI 1001-5

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		Number	Kind Code <sup>2</sup> (if known)			
	A21	5,549,626		Miller et al.	08-27-1996	
	A22	5,611,345		Hibbein	03-18-1997	
	A23	5,709,697		Ratcliff et al.	01-20-1998	
	A24	5,713,848		Dubrul et al.	02-03-1998	
	A25	5,749,883		Halpern	05-12-1998	
	A26	5,766,135		Terwilliger	06-16-1998	
	A27	5,766,203		Imran et al.	06-16-1998	
	A28	5,769,795		Terwilliger	06-16-1998	
	A29	5,795,308		Russin	08-18-1998	
	A30	5,797,960		Stevens et al.	08-25-1998	
	A31	5,814,064		Daniel et al.	09-29-1998	
	A32	5,935,139		Bates	08-10-1999	
	A33	6,053,876		Fisher	04-25-2000	
	A34	6,161,034		Burbank et al.	12-12-2000	
	A35	6,238,412		Dubrul et al.	05-29-2001	
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	A38	2002/0007130		Burbank et al.	01-17-2002	
	A39	2002/0016555		Ritchart et al.	02-07-2002	
	A40	2002/0019640		McGuckin, Jr.	02-14-2002	

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		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	B11							
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	B17							
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	B19							
	B20							

<b>Examiner Signature</b>		<b>Date Considered</b>	
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	A41	2002/0026201		Foerster et al.	02-28-2002	
	A42					
	A43					
	A44					
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	A47					
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	A52					
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	A59					
	A60					

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		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				

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